

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RONALD MCGEE,

Plaintiff,

Case No. 3:16-CV-05583-JCC-BAT

V.

CAROLYN W. COLVIN, Commissioner of
Social Security.

Defendant.

REPORT AND RECOMMENDATION

Plaintiff Ronald McGee appeals the denial of his application for disability benefits. Dkt.

15 3. The parties stipulate the case should be reversed and remanded; if the Commissioner does not
16 issue a fully favorable decision on the record upon remand, then plaintiff will have the
17 opportunity for a de novo hearing. Dkt. 15. The Court has considered the stipulation and the
18 record and recommends the case be **REVERSED** and **REMANDED** under sentence four of 42
19 U.S.C. § 405(g).

On remand, the Commissioner will further develop the record and issue a new decision.

21 The Commissioner will consider the additional evidence submitted to the Appeals Council;
22 reassess Plaintiff's residual functional capacity, and in so doing, evaluate the opinion evidence
23 provided by Dr. Khaleeq and explain the weight given to such evidence; obtain supplemental

1 vocational expert testimony to determine whether there are a significant number of jobs in the
2 national economy that plaintiff can perform; and issue a new decision.

3 The parties further stipulate that, upon proper request to the Court, plaintiff may be
4 entitled to reasonable attorney fees, expenses, and costs pursuant to 28 U.S.C. § 2412 *et seq.*

5 Because the parties have stipulated the case be remanded as set forth above, the Court
6 recommends that United States District Judge John C. Coughenour immediately approve this
7 Report and Recommendation and order the case **REVERSED** and **REMANDED** for further
8 administrative proceedings as set forth above. A proposed order accompanies this Report and
9 Recommendation.

10 DATED this 7th day of December, 2016.

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13 BRIAN A. TSUCHIDA
14 United States Magistrate Judge
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